



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

PHILIP S. JOHNSON  
JOHNSON & JOHNSON  
ONE JOHNSON & JOHNSON PLAZA  
NEW BRUNSWICK, NJ 08933-7003

**COPY MAILED**

**AUG 08 2005**

**OFFICE OF PETITIONS**

In re Application of : DECISION ON PETITION  
Frank Neely :  
Application No. 10/748,621 :  
Filed: December 30, 2003 :  
Attorney Docket Number: VTN :  
568 CIP1 :

This is a decision on the Petition to Revive the Application based upon unintentional abandonment, filed June 15, 2005.

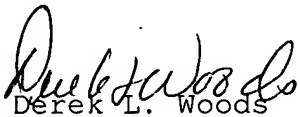
This Petition is hereby granted.

The above-identified application became abandoned for failure to reply in a timely manner to the Notice to File Missing Parts of Provisional Application (hereinafter "Notice"), mailed May 6, 2004. The Notice required the basic filing fee and an executed oath or declaration and a late filing fee oath or declaration surcharge. The Notice set a two (2) month period for reply from the mail date of the Notice, and also provided for extensions of time under 37 CFR 1.136(a). No reply having been received, the application became abandoned July 7, 2004. A Notice of Abandonment was mailed January 10, 2005.

Applicant files the instant petition, executed oath/declaration and the appropriate fees. Accordingly, the petition is granted.

The application file is being referred to the Office of Initial Patent Examination for continued processing in due course.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.

  
Derek L. Woods  
Attorney  
Office of Petitions